

**REMARKS**

Reconsideration of the application is respectfully requested for the following reasons:

1. Amendments to Specification and Claims

The specification has been revised to correct a few minor grammatical and idiomatic errors. Because the changes are all formal in nature, it is respectfully submitted that the changes do not involve new matter.

In addition, claim 1 has been amended to recite an input unit that enables a user to input or modify the “predetermined condition” on which selection of traffic condition location information is based. Support for the recitation of an input unit that enables the condition to be input or modified is found in lines 4-7 on page 7 of the original specification, and therefore the addition also does not constitute “new matter.” The remaining changes to the claims are grammatical and idiomatic in nature.

2. Rejection of Claims 1-10 Under 35 USC §102(b) in view of U.S. Patent No. 6,252,544 (Hoffberg)

This rejection is respectfully traversed on the grounds that the Hoffberg patent fails to disclose or suggest, whether considered individually or in combination with any of the other references of record, a traffic condition reporting system that **selects** information concerning traffic condition locations based on the location of the system (whether in a car, PDA, or the like) based on a “**predetermined condition**” (such as a selected road (claim 2) or selected zone (claim 3) much less one that can be input by a user via an input unit. Instead, the Hoffberg patent discloses a memory that stores whatever information happens to be received from the chosen information transfer method.

According to the invention, the system receives traffic condition information from, for example, a broadcaster, and selects the information that is to be displayed according to the

predetermined condition. For example, the system may receive traffic condition information from a radio station that broadcasts to the entire Washington D.C. metropolitan area, but if the predetermined condition is “I395 S,” then the system will only select traffic condition information for I 395 south. Similarly, traffic conditions might be selected for a particular area such as “Alexandria,” or both a road and an area, such as “Duke Street, Alexandria.” This enables efficient broadcasting of traffic information from a central location while providing individualized reports to individual users.

The Hoffberg patent does not disclose or suggest any such “predetermined condition” selection, as claimed. Instead, localized information, such as information on potholes, can only be achieved by a localized information source. This is much more expensive and difficult to implement than the claimed selection of locations about which traffic condition information is to be provided.

In addition to failing to disclose selection of traffic condition locations based on “predetermined conditions” as recited in claim 1, the Hoffberg patent fails to disclose the use of “location codes” recited in claim 4, or inclusion of the system in a “pager” as recited in claim 9. These positively claimed features result in still further advantages of shorter data transmission times and lower costs (the codes eliminate the need to transmit complete location data, while the user of a pager’s short message format reduces both equipment costs and transmission times/costs).

According to the invention, the “predetermined conditions” are stored in the system (for example, in a flash memory), and the predetermined conditions are easily edited by an input unit 7, which can be used to input or easily modify the predetermined conditions. As a result, the user can change his or her own predetermined conditions in order to flexibly select traffic conditions to be displayed according to the personalized needs of the user. Because the Hoffberg patent does not disclose or suggest such customization based on **selection** according to **predetermined conditions**, as recited in claim 1, from which claims 2-9 depend, and for the additional reasons

**Serial Number 10/083,310**

presented above, withdrawal of the rejection of claims 1-10 under 35 USC §102(e) is respectfully requested.

Having thus overcome each of the rejections made in the Official Action, expedited passage of the application to issue is requested.

Respectfully submitted,

**BACON & THOMAS, PLLC**



By: BENJAMIN E. URCIA  
Registration No. 33,805

Date: August 12, 2004

**BACON & THOMAS, PLLC**  
625 Slaters Lane, 4th Floor  
Alexandria, Virginia 22314

Telephone: (703) 683-0500

NWBS\ProducedOnPending A...HPC\HEN 083310a01.wpd